IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

CRP.No. 864 of 2007()

E.P. 153/96 IN LAR.425/1988 of I ADDL.SUB COURT,ERNAKULAM
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REVN. PETITIONER: JUDGMENT DEBTOR

COCHIN CORPORATION IN CHARGE OF
SPL.TAHSILDAR (LA) P.V.J.PROJECT
PERUMBAVOOR.

BY GOVERNMENT PLEADER

RESPONDENTS: DECREE HOLDERS

M/S.PERIYAR AND PAREEKANNI RUBBERS LTD.
PALAI, REPRESENTED BY ITS DIRECTOR JOHN THOMAS.

BY GOVERNMENT PLEADER SMT. BINDU.

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A.2411 OF 2007
IN
C.R.P. NO.864 OF 2007

DISMISSED

14/12/07 **SD/- M.N. KRISHNAN, JUDGE.**

[True Copy]

P.A. TO JUDGE.

M.N. KRISHNAN, J.

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C.R.P. NO. 864 OF 2007

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Dated this the 14th day of December, 2007.

O R D E R

This revision petition is preferred against the order of the 1st Addl. Sub Judge, Ernakulam in E.P.153/96 in LAR 425/88. The respondent is served on the delay condonation petition and he has not chosen to enter appearance. As per the statements submitted by the decree holder the Court below fixed the liability of the Government as Rs.2,87,387/-. The learned counsel would submit that it was not right. So many important points raised by the Government and also the statements submitted by the Government had not been taken into consideration properly. It is also not clear from the order that the Court below has taken into account all the contentions raised by both the sides. Therefore I set aside the order passed by the Court below and direct the Court below to consider the statements submitted by both the sides and also the question of law argued by both the sides in the light of the latest decisions and then pass a considered order. The Government is directed to appear before the Court below

on 18.1.2008. Since the decree holder has not entered appearance here the Court may issue notice to the Advocate appearing, fix a date and then dispose of the matter in accordance with law.

The C.R.P. is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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